

REMARKS

Claims 1 - 78 are required to be restricted to one of 19 different groups; i.e. Groups I - XIX (Office Action at pages 2 to 5).

In response, Applicants elect, with traverse, to prosecute the subject matter of Group I, claims 1 - 7, 8 - 10, 15 - 24, 25 - 29, 41, 57 - 59, directed to an isolated *Helicobacter* species polypeptide of about 30 KDa, fragments, fusion polypeptides, and compositions comprising the same, as well as claims 42 - 44, 60 - 62, 67, 68, 69 directed to methods of using the same.

Further, as indicated at pages 8 - 9 of the Office Action, the claims of Group I are stated to be directed to the following "patentably distinct species" and election of a single species is required:

Group I species:

- a) 30 KDa polypeptide;
- b) fragments of 30 KDa of at least 6 amino acids of SEQ ID No. 4;
- c) fusion protein of two SEQ ID Nos. selected from SEQ ID Nos. 16 - 20;
- d) fusion protein of three SEQ ID Nos. selected from SEQ ID Nos. 16 - 20;
- e) fusion protein of four SEQ ID Nos. selected from SEQ ID Nos. 16 - 20;

and

- f) fusion protein of five SEQ ID Nos. selected from SEQ ID Nos. 16 - 20.

In reply, Applicants elect the species: a, i.e., 30 KDa polypeptide.

Claims 1-5, 15-19, 41-42, 57-59, 60, 67, 68 and 69 to the extent limited to Group I, species a read on the elected Group I and species.

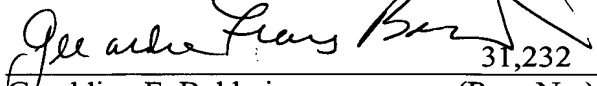
Applicants understand that, upon allowance of a generic claim, Applicants will be entitled to consideration of claims to additional species written in dependent form. It is noted that the Office Action indicated that none of the original claims to separate species were generic. Accordingly, and in accord with the elections above, claims 1-7, 8-10, 15-24, 25-29, 41, 42-44, 57-59, 60-62, and 67-69 are amended herein to be generic to the specie identified and to be directed to the subject matter of elected Group I. No new matter is added and all the claims are fully supported by the specification and claims as originally filed.

In view of the above elections, it is submitted that all outstanding issues are addressed. Applicants fully reserve all rights to prosecute the non-elected subject matter in one or more divisional or continuation applications.

It is noted that an Information Disclosure Statement with revised PTO 1449 listing References AA - AH together with a copy of References AA - AH was submitted with the application on December 7, 2000. A Supplemental Information Disclosure Statement with revised PTO 1449 Form listing References AI - AR together with a copy of References AI - AR was submitted on September 10, 2002. A copy of each of the revised PTO 1449 Forms is included herewith for convenience. It is requested all references be made of record in the file.

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Respectfully submitted,


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